

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/721,333

Attorney Docket No.: Q78594

AMENDMENTS TO THE DRAWINGS

Applicant has attached replacement drawing sheets 1 containing amended drawing Figure

1.

Attachment: One replacement drawing sheets containing amended Figure 1.

REMARKS

Claims 1-11 are all the claims pending in the application. Claims 1-11 have been amended for form only.

I. Objection to Drawings

Applicant respectfully requests the Examiner withdraw the objections to the drawings in view of the self-explanatory amendments presented above.

II. Claim Rejections under 35 U.S.C. § 103

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Applicant's Admitted Prior Art in view of Gai et al. (U.S. Patent No. 6,434,624) and further in view of Raz et al. (U.S. Patent No. 6,529,515). Applicant respectfully traverses the rejection.

Claim 1 recites, *inter alia*,

said module relates to at least an impact of a degradation of at least one quality parameter on the quality of at least one of said data flows

In the Office Action, the Examiner expressly concedes that Applicant's Admitted Prior Art fails to teach or suggest the above recited limitation of the claim. (Office Action, P. 5).

However, **the Examiner failed to cite any teaching or suggestion in any of the prior art**

references as supplementing for this deficiency. (Office Action, P. 4-6). Further, upon a

detailed review of the cited prior art, Applicant respectfully submits that there is no teaching or suggestion of “degradation means for degrading at least one quality parameter of at least one of said data flows . . . , wherein said degradation means make use of a module associated with each session, for carrying out said degradation, . . . [and wherein] **said module relates to at least an**

impact of a degradation of at least one quality parameter on the quality of at least one of

said data flows.” As such, Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness and Applicant respectfully submits that the prior art fails to teach or suggest at least this requirement of the claims.

Accordingly, Applicant respectfully submits that claims 1-9 would not have been obvious under 35 U.S.C. § 103(a) over Applicant's Admitted Prior Art in view of Gai and further in view of Raz, because the references, alone or in combination, do not teach or suggest all of the features and limitations of the claims. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claim 1 and claims 2-9 at least by virtue of their dependency from claim 1.

Applicant further respectfully submits independent claims 1- and 11 are patentable over the cited combination for similar reasons. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 10 and 11.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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